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PATENT
IAP4 Rec'd PCT/PTO 19 DEC 2005

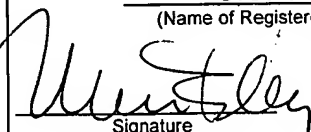
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No.: ARDEN-JACOB-3

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|-----------------------------------|---|
| In re Application of: |) |
| JUTTA ARDEN-JACOB et al. |) |
| Appl. No.: 10/539,790 |) |
| Filing Date: June 17, 2005 |) |
| For: CARBOXAMIDE-SUBSTITUTED DYES |) |
| FOR ANALYTICAL APPLICATIONS |) |

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

| | |
|--|---|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450", on <u>December 14, 2005</u> . | |
| (Date) | |
| <u>Ursula B. Day</u> | |
| (Name of Registered Representative) | |
|  Signature | <u>Dec. 14, 2005</u> Date of Signature |

S I R:

In accordance with 37 C.F.R. 1.56, applicant wishes to call the attention of attention of the Examiner to the references listed on enclosed form PTO-1449 which were cited in the instant specification and in the International Search Report issued by the European Patent Office with regard to the corresponding International patent application No. PCT/EP2003/014534, respectively. Applicant does not admit that any of the cited documents constitutes prior art against the pending application.

Copies of these references are submitted herewith along with form PTO-1449. The Examiner is requested to initial the attached form PTO-1449 and to return a copy of the initialed document to the undersigned as an indication that the attached references have been considered and made of record.

- ☐ This Information Disclosure Statement is filed within three months of the filing date of a national application other than a continued prosecution application under 1.53(d), so that no fee under 37 C.F.R. §1.97 is due.
- ☐ This Information Disclosure Statement is filed within three months of the date of entry of the national stage as set forth in 1.491 in an international application, so that no fee under 37 C.F.R. §1.97 is due.
- ☒ This Information Disclosure Statement is filed before the mailing of a first Office Action on the merits, so that no fee under 37 C.F.R. §1.97 is due.
- ☐ This Information Disclosure Statement is filed before the mailing of a first Office Action after the filing of a request for continued examination under §1.114, so that no fee under 37 C.F.R. §1.97 is due.
- ☐ This Information Disclosure Statement is filed after the issuance of a first office but before issuance of a final action under §1.113, or a notice of allowance under §1.311.
- ☐ This Information Disclosure Statement is submitted after the mailing of a final action or a notice of allowance, but before payment of the issue fee.
- ☐ The undersigned submits the following statement requesting consideration of this statement:
The undersigned hereby states:
 - ☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement;
 - ☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement

after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the information disclosure statement.

- [] The fee of \$180.00 set forth in 1.17(p).
- [] The Commissioner is hereby authorized to charge the fee as set forth in 1.17(p), and any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-0502.
- [X] The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 06-0502.

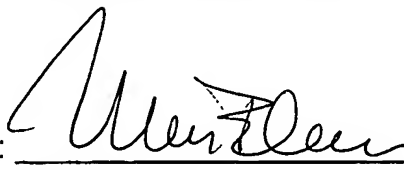
In order to satisfy the requirement under 37 C.F.R. §1.98(a)(3) for a concise explanation of the relevance of each item of information, applicant herewith submits a copy of the International Search Report. In addition, applicant notes with respect to any information that is not in English language as follows:

International Publication No. WO 00/64986 describes the use of carbopyronine compounds of general formula (I) (as seen in the publication) as marker groups in methods for detecting analytes. The invention also relates to novel carbopyronine compounds and to a method for producing same.

The above-identified application discloses and claims an invention patentable over this prior art.

Entry of the references above set forth into the file of the above application is believed to be in order and is respectfully requested.

Respectfully submitted

By: 
Ursula B. Day
Attorney for Applicant
Reg. No. 47,296

Date: December 14, 2005
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New York, N.Y. 10118
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Form PTO-1449

U.S. Department of Commerce
Patent and Trademark Office

INFORMATION DISCLOSURE CITATION

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|---|--|--------------------------------|
| Attorney's Docket No. ARDEN-JACOB-3 | Applicant JUTTA ARDEN-JACOB et al. | Appl. No. 10/539,790 |
| Filing Date June 17, 2005 | Group | Examiner |

U.S. PATENT DOCUMENTS

| Examiner Initial | Document Number | Date | Name | Class | Subclass | Filing Date, if appropriate |
|------------------|-----------------|------|------|-------|----------|-----------------------------|
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FOREIGN PATENT DOCUMENTS

| | Document Number | Date | Country | Class | Subclass | Translation |
|--|-----------------|------------|---------------|-------|----------|-------------|
| | WO 00/64988 | 11-02-2000 | PCT | | | yes |
| | WO 02/055512 | 07-18-2002 | PCT | | | yes |
| | EP 0 347 697 | 12-27-1989 | Europe | | | no |
| | EP 0 167 998 | 01-15-1986 | Europe | | | no |
| | GB 1 407 331 | 09-24-1975 | Great Britain | | | |
| | GB 1 445 989 | 08-11-1976 | Great Britain | | | |
| | WO 03/098618 | 11-27-2003 | PCT | | | yes |
| | WO 00/64987 | 11-02-2000 | PCT | | | abstract |
| | WO 00/64986 | 11-02-2000 | PCT | | | abstract |
| | | | | | | |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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| | | Jan Slavik, "Fluorescent Probes in Cellular and Molecular Biology", CRC Press, Boca Raton, Ann Arbor, London, Tokyo, 1994 |
| | | K.H. Drexhage, "Structure and Properties of Laser Dyes", in: F.P. Schäfer, Topics in Applied Physics, Vol. 1, Dye Lasers, Springer-Verlag, Berlin, Heidelberg, New York, 1973 |
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Examiner:

Date considered:

*Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.